



City of Seattle

Department of Planning and Development

D. M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING & DEVELOPMENT

Project Number: 3011425

Applicants: Scott Starr, SMR architects, for Downtown Emergency Service Center

Address: 10507 Aurora Avenue N

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a 4-story building containing 87 low-income residential units above 4,944 square feet of commercial office and retail (restaurant) space at ground level. Parking for 15 vehicles will be located within the structure. Proposal includes demolition of two existing structures and 1,800 cubic yards of grading.

The following Master Use Permit components are required:

Design Review - Section 23.41, Seattle Municipal Code (SMC)

SEPA-Threshold Determination (Chapter 25.05 SMC).

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

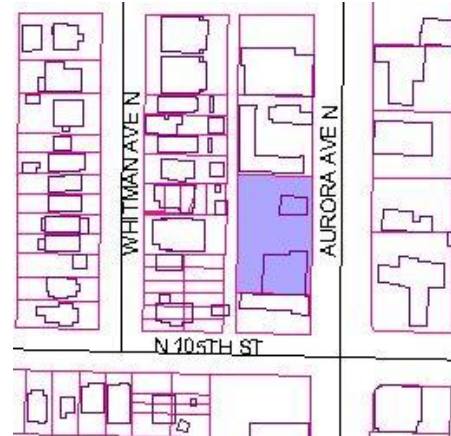
☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

SITE BACKGROUND INFORMATION:

The infill site is located at 10507 Aurora Avenue N., midblock between N. 105th Street and N. 107th Street. The rectangular site is currently occupied by a one-story commercial structure (Cindy's Pancake House restaurant) of approximately 7,000 square feet and a surface parking lot to the north with a free-standing retail store (Glassique, an architectural glass studio) of approximately 500 square feet.

The site and area are part of the Aurora-Licton Springs Urban Village. The site faces onto Aurora Avenue N., a busy arterial, also known as Pacific Highway 99, a State of Washington Highway that connects with the Canadian border to the north and to state highways 99 in Oregon and California that connect to Mexico.



Development along Aurora Avenue N. in Seattle is that of “strip” commercial development, situated to serve customers arriving in vehicles. The pattern of development is characterized for the most part by discontinuous, low-slung lodging and commercial buildings perched as islands on seas of asphalt-paved parking lots easily accessed by vehicles from the highway. A notable break in this pattern occurs not too far to the north of the site where a large cemetery complex lies on either side of Aurora Avenue N. and provides a moment of quietude before the noise of the strip resumes.

The property is zoned Commercial 1 with a 40-foot height limit for the structure and use proposed. The same zoning designation is applied to properties on either side of Aurora Avenue N. Across the alley to the west properties are zoned LR2 and developed with multifamily structures ranging from town houses to apartments with 8 and 9 units. A large area of single family zoning (SF 5000) begins approximately 175 feet to the west at Whitman Avenue N.

The property directly to the north of the development site contains an L-shaped motel of a single story. The property to the south of the development site contains a commercial office building, with a dentist office and insurance office currently occupying the spaces within.

Project Proposal

The proposal is for a four story mixed-use structure with 87 residential units for low-income individuals. The structure will accommodate common amenity areas for the residents, office spaces for attending staff, and approximately 5,000 square feet of commercial space on the ground floor. Parking spaces for 21 vehicles will be provided within the structure. Parking will be accessed from the alley.

Public Comment

The Department received no written comments during the SEPA public comment period that ended on April 6, 2011. Comments were elicited at the Design Review public meetings, however, and are noted below in the discussion of those meetings.

ANALYSIS - DESIGN REVIEW

Upon recommendation of the Board, the project underwent two Early Design Guidance meetings before the proposal was recommended for approval at a single recommendation meeting held on May 9, 2011.

First Early Design Guidance Meeting – October 25, 2010

ARCHITECT'S PRESENTATION

DESIGN PRESENTATION

After a few comments from Bill Hobson, Director, Downtown Emergency Services Center, Scott Starr of SMR Architects delivered the bulk of the presentation made to the Board and members of the public attending the meeting. A single massing scheme was presented by the applicant. It was a C-shaped building that held close to the property line along Aurora and provided ground-level outdoor open space at the center of the building where it fronted the alley. The building was held back from both the north and south property lines. The four story mixed use building would contain 87 residential units on the top three floors while the ground floor would contain approximately 5,000 square feet of retail and administrative office space adjacent to Aurora Avenue N. Common residential amenity spaces, mechanical spaces and parking would be located on the ground floor facing the alley. Overall, the structure would contain approximately 60,000 square feet of space, including the parking and mechanical spaces. The applicant noted a departure would be requested from SMC 23.47A. 024, the Code provision that requires an outdoor residential amenity space equivalent to 5 percent of the proposed area given to residential use. The applicant proposed providing half of this required amenity space as indoor common area rather than as outdoor space.

One departure from development standards was identified by the applicant. This was a request to allow approximately one half of the required residential amenity space to be located inside the building as a first floor common recreational area. SMC 23.47A. 024 would require that the 5 percent of the gross floor area in residential use to be designated as residential amenity space not be enclosed.

PUBLIC COMMENT

Approximately 16 members of the public attended this Early Design Review meeting. The following comments, issues and concerns were raised:

- Noted that the proposal should pay attention to the nature of the alley, allowing for greenery, providing for garbage storage within, and eliminating potential hiding spaces.
- Stated that the project should provide any outdoor spaces required by code and address the hydrological demands and the security demands of the site; security lighting should be provided along the alley but carefully so as not to be disruptive to neighboring residences.
- Preferred parking access from the alley, but noted that safe and adequate passages must be provided through the building for access to commercial square footage along Aurora.
- Opposed the location of the enclosed courtyard as it was not an asset to the broader community.

- Encouraged the opportunity to develop the south façade in concert with the existing building located to the south of the site and facing onto 105th Street; encouraged the opportunity to provide a building of durable materials that would be a real asset to the community.
- Showed concern with the lack of detail in the presentation and the lack of real massing alternatives for the site; also showed concern that the amount of community space, whether inside or outside would be inadequate for the number of residents proposed.

PRIORITIES & BOARD RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, and hearing public comment, the Design Review Board members provided the following siting and design guidance. The Board identified the Citywide Design Guidelines & Neighborhood specific guidelines (as applicable) of highest priority for this project.

Site Planning

- A-1 Responding to Site Characteristics.** The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.
- A-2 Streetscape Compatibility.** The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.
It was thought by some of the Board members that even though this site was on a busy, car-dominated arterial, there were elements of the “strip” that were “almost alright” and which might provide clues for compatible design.
- A-3 Entrances Visible from the Street.** Entries should be clearly identifiable and visible from the street.
- A-4 Human Activity.** New development should be sited and designed to encourage human activity on the street.
- A-6 Transition Between Residence and Street.** For residential projects, the space between the building and the sidewalk should provide security and privacy for residents and encourage social interaction among residents and neighbors.
- A-7 Residential Open Space.** Residential projects should be sited to maximize opportunities for creating usable, attractive, well-integrated open space.
This was seen as one of the primary challenges for the project, providing amenity spaces that addressed programmatic needs while also providing comfort and security for the residents.
- A-8 Parking and Vehicle Access.** Siting should minimize the impact of automobile parking and driveways on the pedestrian environment, adjacent properties, and pedestrian safety.

The security of the garage and safe and attractive passage from parking to the street would be key issues for the design refinement of the proposal.

B. Height, Bulk and Scale

- B-1 Height, Bulk, and Scale Compatibility.** Projects should be compatible with the scale of development anticipated by the applicable Land Use Policies for the surrounding area and should be sited and designed to provide a sensitive transition to near-by, less intensive zones. Projects on zone edges should be developed in a manner that creates a step in perceived height, bulk, and scale between anticipated development potential of the adjacent zones.

The Board was generally agreed that the best strategy was shifting the bulk of the building to Aurora Avenue N. while stepping back from the alley and the neighboring structures along the alley and from the structures to the north and to the south. The Board was not satisfied, however, that the presentation had offered any real alternatives to the reversed “C” scheme that opened to the alley. The Board requested that the design team return with a more fully developed and convincing presentation of the “C” scheme together with at least one other scheme that would be worthy of investigation and not just a “strawman” design.

C. Architectural Elements and Materials

- C-1 Architectural Context.** New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

At the Early Design Guidance Meeting, the Board discussed (see A-2 above) that lacking a truly “well-defined and desirable character,” nevertheless taking something away from a more intense analysis of the “strip” context would be a useful exercise. It was suggested by one Board member that a “quirky” public art component might be an appropriate response to that analysis.

- C-2 Architectural Concept and Consistency.** Building design elements, details and massing should create a well-proportioned and unified building form and exhibit an overall architectural concept. Buildings should exhibit form and features identifying the functions within the building. In general, the roofline or top of the structure should be clearly distinguished from its facade walls.

At the Early Design Guidance Meeting the Board discussed the need to create a unified building that provided a synthesis between the podium, commercial store-front base and the residential building above.

- C-3 Human Scale.** The design of new buildings should incorporate architectural features, elements, and details to achieve a good human scale.

At the Early Design Guidance Meeting, the Board noted that the questions of scale were matters of concern along both the alley and the street as well as the facades that faced the

properties to the north and south of the site. Issues of scale were particularly related to discussions of safety, particularly along the alley.

- C-4 Exterior Finish Materials.** Building exteriors should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

D. Pedestrian Environment

- D-1 Pedestrian Open Spaces and Entrances.** Convenient and attractive access to the building's entry should be provided. To ensure comfort and security, paths and entry areas should be sufficiently lighted and entry areas should be protected from the weather. Opportunities for creating lively, pedestrian-oriented open space should be considered.

As noted in earlier discussions, the Board indicated particular concern regarding the comfort and security of pathways leading from the parking areas to the commercial spaces that occupied the Aurora Avenue N. façade of the building.

- D-5 Visual Impacts of Parking Structures.** The visibility of all at-grade parking structures or accessory parking garages should be minimized. The parking portion of a structure should be architecturally compatible with the rest of the structure and streetscape. Open parking spaces and carports should be screened from the street and adjacent properties.

In choosing this Guideline as one of highest priority, the Board expressed concern for the appearance of the parking garage and its entries from the alley and from across the alley and requested to see landscaping elements that would green the alley-level façade.

- D-6 Screening of Dumpsters, Utilities, and Service Areas.** Building sites should locate service elements like trash dumpsters, loading docks and mechanical equipment away from the street front where possible. When elements such as dumpsters, utility meters, mechanical units and service areas cannot be located away from the street front, they should be situated and screened from view and should not be located in the pedestrian right-of-way.

Screening these service elements from the alley was deemed equally important by the Board.

- D-7 Personal Safety and Security.** Project design should consider opportunities for enhancing personal safety and security in the environment under review.

In light of extensive public comments and discussion regarding the safety of the alley, the Board regarded this Guideline to be of particular importance to the design.

- D-8 Treatment of Alleys.** The design of alley entrances should enhance the pedestrian street front.

This should be considered in light of the comments attached to Guideline D-5 above.

- D-9 Commercial Signage.** Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.

The commercial signage should be bold and considered a major component of the overall design.

- D-10 Commercial Lighting.** Appropriate levels of lighting should be provided in order to promote visual interest and a sense of security for people in commercial districts during evening hours. Lighting may be provided by incorporation into the building façade, the underside of overhead weather protection, on and around street furniture, in merchandising display windows, in landscaped areas, and/or on signage.

The lighting should be design to enhance the ground plane.

- D-11 Commercial Transparency.** Commercial storefronts should be transparent, allowing for a direct visual connection between pedestrians on the sidewalk and the activities occurring on the interior of a building. Blank walls should be avoided.

- D-12 Residential Entries and Transitions.** For residential projects in commercial zones, the space between the residential entry and the sidewalk should provide security and privacy for residents and a visually interesting street front for pedestrians. Residential buildings should enhance the character of the streetscape with small gardens, stoops and other elements that work to create a transition between the public sidewalk and private entry.

Likewise, on the alley side the ground floor should be enhanced with vegetative walls.

E. Landscaping

- E-1 Landscaping to Reinforce Design Continuity with Adjacent Sites.** Where possible, and where there is not another overriding concern, landscaping should reinforce the character of neighboring properties and abutting streetscape.

DEVELOPMENT STANDARD DEPARTURES

The Board's recommendation on the requested departure(s) will be based upon the departure's potential to help the project better meet these design guideline priorities and achieve a better overall design than could be achieved without the departure(s). The Board's recommendation will be reserved until the final Board meeting.

At the time of the first Early Design Guidance meeting, the following departure was requested:

The Code requires that the residential amenity space, based upon of formula of 5 percent of the gross floor area in residential use, be provided outside the building. **(SMC 23.47A.024B):** The applicant proposes that half the required amenity space be located outside the building. The Board indicated they would be favorable toward the departure providing the applicant provides more information regarding the actual design of the spaces and responds to the Board's other requests for a fuller exploration of alternatives and to the Guidelines noted to be of highest priority for the project.

BOARD DIRECTION

At the conclusion of the First EDG meeting, the Board recommended the project should return to the Board for an additional EDG meeting. The Board indicated that they would like to see at that time a genuine alternative scheme or schemes to those which had been shown at the October 25, 2010 meeting as the preferred scheme. At the next meeting the Board also indicated that they would like to see a much more fully developed and detailed explanation of the basic massing scheme shown the Board as the preferred alternative, one that would clarify the relationship between the open space next to the alley and the alley itself as well as the relationship to internal spaces and functions, including human service areas, internal amenity spaces and the proposed parking. The Board noted that ground-level perspectives as well as plans would be of use here. Additionally, graphics should be supplied to clearly address the concerns expressed by the Board and the public. These would include: issues of protection, security and safety; pathways, including those designed for users of the parking and the commercial and clinical spaces intended to be accessed from entrances addressed to Aurora Avenue N.; fencing, landscaping, doorways, garage entries and doors—their design and intended functions.

Second Early Design Guidance Meeting -- January 10, 2011

Three Board members attended the second EDG meeting.

Architect's Presentation

Following greetings for the Board Chair and introductions of the Board members, the architect began by recalling two areas of concern that had prompted the Board to request a second early design guidance session. First, the Board had suggested that a more thorough site analysis and contextual analysis of the Aurora Avenue corridor might yield some concrete clues for directions in design development. Secondly, the Board had felt at the first presentation that a lack of distinct massing alternatives had hindered the Board's ability to give specific advice regarding the proposal's best fit on the site and best fit within the neighborhood. The analysis presented two distinctive Aurora environments. One was a pedestrian and smaller scale commercial area defined as encompassing about one half block on either side of Aurora, beginning at Green Lake north to about 110th Street (which include the proposal site). The second, larger scale commercial area began about 115th and ran north to the city limits. It was constituted by a swath of commercial uses that extended east and west further from Aurora and characterized by some larger, "box" structures (Home Depot and Lowe's, for instance). Between the two, different scale commercial strips was a sizeable intervening green sward provided by the Evergreen-Washelli cemeteries arrayed on either side of Aurora for perhaps a five block extent. The pedestrian/smaller scale commercial strip that comprised the immediate context for the proposed structure was shown to consist of a number of fairly plain, lower, horizontally-stretched structures, set back from the street with parking available just off Aurora. A distinctive characteristic of these sites was a recurring motif of colorful, neon-enhanced signs (primarily for signaling lodging availability) set on poles at the street's edge.

Three schemes or massing models were then presented. Schemes B and C were variants of the massing shown at the first EDG meeting, each showing a continuous wall pushed to Aurora Avenue N. and with a courtyard opening at the alley. The courtyard in scheme B was shallower and wider than that proposed for scheme C which was narrower and deeper. Parking in each scheme was from the alley. The ground floor abutting the Aurora sidewalk was divided between two commercial spaces with a residential entry at the center of structure. Scheme A had a similar arrangement along the Aurora side but presented a solid wall (broken only by entries for parking access and utility functions at grade) with two stories of residential units along the alley. Interior to the alley wall was a courtyard. Three stories of residential units above ground floor commercial and circulation space addressing Aurora Avenue N. contributed to configuring a structure that stepped down a floor at the alley side in deference to the residential zone to the west.

Public Comment

Three individuals affixed their names to the sign-in sheet provided at the meeting although members of the public and those who commented on the project numbered more. Among the public comments were the following observations:

- The opening of the garage entries of the proposed structures were in conflict with parking orientations across the alley and should be re-aligned on the proposal to deal with possible conflicts;
- Sounds associated with garage doors on proposed structure should be muted in deference to neighbors across the alley;
- The present restaurant on site was one of the neighborhood's only gathering spots, and if a remnant of that eating place or another is to be maintained within the new structure, there ought to be outside places along the sidewalk for creation of a true neighborhood space;
- Because of the constant noise levels due to traffic along Aurora, outdoor seating would be disastrous;
- The number of parking spaces proposed would be inadequate for successful commercial spaces within the structure;
- Access from the proposed internal parking to only one of the commercial spaces would prove troublesome;
- Access to the roof deck as proposed in Scheme A should limit hours; green screens along the alley would be a fine contribution to neighborliness.

Board's Deliberations

After thanking the applicants for giving them some real alternatives to look at, the Board members expressed their agreement that Scheme A was the direction to proceed in, with the following caveats:

- The Aurora façade needed enlivening refinements, including the discovery of how to incorporate the “googie” sign elements (colors, forms) into the design in ways that were neither perfunctory or forced.
- It seemed clear that the awkwardness of the lack of a clear pathway from the parking to one or other of the main commercial spaces along Aurora should simply be solved by abutting or connecting the commercial spaces. This could best be achieved by doing away with the central location of the residential entry. Moving the residential entry to one side or the other would not only obviate the problem of no direct parking access but would provide opportunities for enlivening the Aurora Avenue N. façade.

It was the Board's recommendation that, with the guidance above and with the guidance given in indicating those guidelines that were of particular importance for the success of the project at the first early design guidance meeting, the applicant and design team should proceed to design development and application for a Master Use Permit.

Development Standard Departures

At the first Early Design Guidance meeting, the design team had indicated that they would request a departure from SMC 23.47A.024B which requires that the 5 percent of the gross floor area in residential use to be designated as residential amenity space not be enclosed. At that time the applicant was proposing that half the required amenity space be located outside the building. At the second EDG the design team indicated that, given Scheme A, such a departure would not be needed. There were no other departures from development standards requested by the applicant. In discussing incorporating elements of the existing Cindy's sign or other "googie" sign elements into the Aurora Avenue façade or landscaping, however, the Board members indicated a willingness to consider granting departures from requirements for sign standards in the Land Use Code should such be needed to incorporate or capture something striking into the design that otherwise not be permitted by the standards.

Recommendation Meeting—May 9, 2011

DESIGN DEVELOPMENT

Based on the guidance from two earlier EDG meetings, the applicant revised the project and returned to the Northwest Board for a Recommendation meeting. The applicant presented a single, four-story rectangular mass comprising nearly the entire development site. The building program at ground level has commercial uses extending along Aurora Avenue N. The building's mechanical functions, common rooms (including dining) and parking are arranged around a narrow courtyard on the west half of the proposed plan. The residential plan for two of the upper floors has most of the studio units wrapped around the courtyard. The upper-most floor (the fourth level) sets back from the alley providing a roof deck and green roof over the third floor, acknowledging the lower heights of the multifamily housing immediately across the alley and to the west.

A combination of color and material changes provide definition for the east elevation's base, middle and top. A vertical bifurcation of the mostly horizontal composition occurs not quite mid-point in the east elevation, signaling the primary or formal residential entry on Aurora and extending upward as glazing to the roof. Storefront windows grace the street level along Aurora Avenue N., announcing the structure's commercial and office uses. A thin course of tan brick separates the red brick and glass of the commercial level from the upper residential floors. Painted red, vertical metal panels define the two middle floors. A tan colored horizontal band further subdivides the mid-section of the composition. The shape of the residential fenestration on these two floors remains distinct from the ground floor and the upper-most floor. The design identifies the fourth floor as different or special from the middle sections by changing the color from red to light brown, using another material ---fiber-cement lap siding, creating a much different window pattern, and angling the roof slightly. The various mix of colors and materials wraps around to the north and south facades; however, the combination no longer identifies a horizontal layering of floors and uses but emphasizes minor massing elements such as the stair towers. The west façade

introduces bay windows above the garage level presumably to relate to the townhouses across the alley. This façade has no less than six distinct colors. One color defines the back of house and garage level, three colors delineate the bay windows, a fifth the background plane and the sixth color presents itself at the fourth level.

PUBLIC COMMENT

Two members of the public affixed their names to the sign-in sheet for this Recommendation meeting. Three members of the public raised the following comments and issues:

- General concern that the alley drainage be improved;
- Ensure the safety and comfort of bus passengers at the Metro stop adjacent the alley;
- One member of the public was concerned that people coming to the project would park adjacent to his home because of the insufficient parking offered on site.

Board Deliberations

The board felt that the design was generally positively responsive to the board's previous guidance. The board also expressed the felt that the Board's previous emphasis on Googie design may have come across too literally. After some discussion regarding whether the color scheme should be muted somewhat, the board approved the general color scheme as presented and expressed a willingness to put up with refinements in the scheme as they might occur; they especially liked the brick. It was agreed that, while overhead weather protection might not be totally appropriate along the whole of the Aurora Avenue N. façade, the overhead weather protection needed to be expanded at the residential entry and should be used to emphasize the residential entry.

Departures:

No departures were identified or requested by the applicant.

Board Recommendation

The Board unanimously approved the project subject to the following conditions:

1. The Board felt that the main residential entry should receive more emphasis, and an important part of this modification would be an expansion of the overhead weather protection. The board recommended that this overhead protection should work with the public art at the entry, but should not necessarily connect to or overshadow the public art. The applicant should work with the Land Use Planner to produce an acceptable alternative design.
2. The board recommended that the color of the red-orange bay window on the alley should be changed to match the other bay windows, or that more red-orange color should be added overall.
3. The Board approved the color scheme provided in the application. The board felt that the colors could be reduced in intensity if the applicant, with the consensus of the Land Use Planner, felt that the reduction in intensity overall, or in particular applications, was appropriate.

ANALYSIS AND DECISION - DESIGN REVIEW

The Director of DPD has reviewed the recommendations of the Design Review Board and finds that the proposal is consistent with the *City of Seattle Design Review Guidelines for Multifamily & Commercial Buildings Design Guidelines*. The Director **APPROVES** the subject design consistent with the Board's recommended conditions which are noted at the end of the decision.

This decision is based on the Design Review Board's final recommendations, on the plans, drawings and other materials presented at the public meeting on May 9, 2011 and the plans on file at DPD. The design, siting, and architectural details of the project are expected to remain substantially as presented at the recommendation meeting except for those alterations made in response to the recommendations of the Board or in response to correction notices and incorporated into the plan sets subsequently submitted to DPD.

ANALYSIS - STATE ENVIRONMENTAL POLICY ACT (SEPA)

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant (dated March 1, 2011). The information in the checklist, the supplemental information submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision. This decision also makes reference to and incorporates the project plans submitted with the project application.

The Seattle SEPA Ordinance provides substantive authority to require mitigation of adverse impacts resulting from a proposed project (SMC 25.05.655 and 25.06.660). Mitigation, when required, must be related to specific environmental impacts identified in an environmental document and may be imposed to the extent that an impact is attributable to the proposal, and only to the extent the mitigation is reasonable and capable of being accomplished. Additionally, mitigation may be required when based on policies, plans and regulations as enunciated in SMC 25.05.665 to SMC 25.05.675 inclusive (SEPA Overview Policy, SEPA Cumulative Impacts Policy, SEPA Specific Environmental Policies). In some instances, local, state or federal regulatory requirements will provide sufficient mitigation of an impact and additional mitigation imposed through SEPA may be limited or unnecessary.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority. The Overview Policy states in pertinent part that "where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation." Under specific circumstances, mitigation may be required even when the Overview Policy is applicable. SMC 25.05.665(D).

ENVIRONMENTAL IMPACTS

The information provided by the applicant and its consultants, the public comments received, and the experience of DPD with the review of similar proposals form the basis for conditioning the project. The potential environmental impacts disclosed by the environmental checklist are

discussed below. Where necessary, mitigation is called for under Seattle's SEPA Ordinance (SMC 25.05).

Short - Term Impacts

Anticipated short-term impacts that could occur during demolition excavation and construction include; increased noise from construction/demolition activities and equipment; decreased air quality due to suspended particulates from building activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by construction activities; potential soil erosion and potential disturbance to subsurface soils during grading, excavation, and general site work; increased traffic and demand for parking from construction equipment and personnel; conflicts with normal pedestrian and vehicular movement adjacent to the site; increased noise; and consumption of renewable and non-renewable resources. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794).

Many of these impacts are mitigated or partially mitigated by compliance to existing codes and ordinances; specifically these are: Storm-water, Grading and Drainage Control Code (grading, site excavation and soil erosion); Street Use Ordinance (watering streets to suppress dust, removal of debris, and obstruction of the pedestrian right-of-way); the Building Code (construction measures in general); and the Noise Ordinance (construction noise). The Department finds, however, that certain construction-related impacts may not be adequately mitigated by existing ordinances. Further discussion is set forth below.

Earth

It is not anticipated that perched groundwater will be encountered during the minor amount of excavation required for the project; any construction dewatering can be handled with ditching and sumps within the excavation. The Seattle Stormwater Grading and Drainage Control Code requires that water released from the site be clean and limits the amount of suspended particles therein. Specifically, the ordinance provides for Best Management Practices to be in place to prevent any of the water or spoil resulting from excavation or grading to leave the site inadvertently. No SEPA policy based conditioning of earth impacts during construction is necessary.

Traffic and Parking

Traffic during some phases of construction, such as excavation and concrete pouring, will be expected to be great enough to warrant special consideration in order to control impacts on surrounding streets. Seattle Department of Transportation will require a construction phase truck transportation plan to deal with these impacts. The applicant(s) will be required to submit a Truck Trip Plan to be approved by SDOT prior to issuance of any demolition or building permit. The Truck Trip Plan shall delineate the routes of trucks carrying project-related materials.

Noise-Related Impacts

Both commercial and residential uses in the vicinity of the proposal will experience increased noise impacts during the different phases of construction. Compliance with the Noise Ordinance (SMC 22.08) is required and will limit the use of loud equipment registering 60 dBA or more at the receiving property line or 50 feet to the hours between 7:00 a.m. and 10:00 p.m. on weekdays, and between 9:00 a.m. and 10:00 p.m. on weekends and holidays.

Although compliance with the Noise Ordinance is required, additional measures to mitigate the anticipated noise impacts may be necessary. The SEPA Policies at SMC 25.05.675.B and 25.05.665 allow the Director to require additional mitigating measures to further address adverse noise impacts during construction. Pursuant to these policies, it is Department's conclusion that limiting hours of construction beyond the requirements of the Noise Ordinance may be necessary. In addition, therefore, as a condition of approval, the proponent will be required to limit the hours of construction activity not conducted entirely within an enclosed structure to non-holiday weekdays between 7:00 a.m. and 6:00 p.m.

Air Quality Impacts

Demolition and construction activities could result in the following temporary or construction-related adverse impacts:

- Erosion from excavation and storm water impacts due to ground clearing;
- Increased noise levels;
- Decreased air quality due to suspended particulates (dust) from excavation and construction, hydrocarbon emissions and greenhouse gas emissions from construction vehicles, equipment, and the manufacture of the construction materials.

Construction will create dust, leading to an increase in the level of suspended air particulates, which could be carried by wind out of the construction area. Compliance with the Street Use Ordinance (SMC 15.22.060) will require the contractors to water the site or use other dust palliative, as necessary, to reduce airborne dust. In addition, compliance with the Puget Sound Clean Air Agency regulations will require activities, which produce airborne materials or other pollutant elements to be contained with temporary enclosure. Other potential sources of dust would be soil blowing from uncovered dump trucks and soil carried out of the construction area by vehicle frames and tires; this soil could be deposited on adjacent streets and become airborne. The Street Use Ordinance also requires the use of tarps to cover the excavation material while in transit, and the clean up of adjacent roadways and sidewalks periodically. Construction traffic and equipment are likely to produce carbon monoxide and other exhaust fumes. Regarding asbestos, Federal Law requires the filing of a Notice of Construction with the Puget Sound Clean Air Agency ("PSCAA") prior to any demolition on site. If any asbestos is present on the site, PSCAA, the Department of Labor and Industry, and EPA regulations will provide for the safe removal and disposal of asbestos.

Construction activities themselves will generate minimal direct impacts. However the indirect impact of construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project. No potential short term adverse impact to air is anticipated and therefore air quality mitigation is not necessary.

Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased carbon dioxide and other greenhouse gas emissions primarily from increased vehicle trips but also the projects energy consumption, increased demand for public services and

utilities; increased height, bulk, and scale on the site; and increased area traffic and demand for parking. Several adopted City codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the City Energy Code which will require insulation for outside walls and energy efficient windows; and the Land Use Code which controls site coverage, setbacks, building height and use, parking requirements, shielding of light and glare reduction, and contains other development and use regulations to assure compatible development.

Air Quality

The number of vehicular trips associated with the project will increase the quantities of carbon dioxide and other greenhouse gas emissions in the area. Additionally, the project will create a level of electrical energy demand and natural gas consumption that does not currently exist on the site. Together these changes will result in ambient increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant due to the relatively minor contribution of greenhouse gas emissions from this project over its life-cycle.

Greenhouse Gas Emissions

Operational activities, primarily vehicular trips associated with the project and the project's energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Height, Bulk, and Scale

The proposal does not exceed the height of development (40 feet) allowed in the Commercial 1 (C-1 40') zone. The height, bulk and scale measures were addressed during the Design Review process. Pursuant to the Height, Bulk and Scale Policy of SMC 25.05.675 a project that is approved pursuant to the design review process shall be presumed to comply with the height, bulk and scale policies. The proposed structures have been endorsed by the Design Review Board as appropriate in height, bulk and scale for the project.

Traffic and Parking Impacts

The proposed number of on-site vehicle parking spaces is 15. Parking is being provided for staff and retail customers. A total of 13 existing parking spaces will be eliminated. Any increase in delay time at nearby intersections generated by site-related traffic would be negligible and nearby intersections would continue to operate at their current levels of service.

Few vehicular trips are expected to be attributable to the residents of the structure given the population intended to be served. Additionally, the site is well served by public transportation. Three Metro bus stops for routes 5, 75, and 358 are located within one block. A RapidRide Line E is currently being installed along Aurora Avenue N and will replace the MT 358. A stop will be located directly outside the front door of the proposed building. No SEPA conditioning of traffic or parking impacts are warranted nor will any be imposed.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of DPD as the lead agency of the completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

[X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).

CONDITIONS-SEPA

Based upon the above analysis, the Director has determined that the following conditions are reasonable and shall be imposed pursuant to SEPA and SMC Chapter 25.05 (Environmental Policies and Procedures).

The owner(s) and/or responsible party(s) shall:

During Construction

1. The following condition(s) to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other waterproofing material and shall remain posted on-site for the duration of the construction:

The hours of construction activity not conducted entirely within an enclosed structure shall be limited to non-holiday weekdays between 7:00 a.m. and 6:00 p.m. unless this restriction is modified on a case by case basis, and a written request is submitted to DPD and approved at least a week before any extension in hours is contemplated.

Conditions-Design Review

Prior to Issuance of a Certificate of Occupancy

2. The design, siting, and architectural details of the project shall remain substantially as presented at the Design Review recommendation meeting of May 9, 2011, except for any alterations that may be made in response to the recommendations of the Board and incorporated into the plan sets re-submitted to DPD prior to issuance of the Master Use Permit. Compliance with the approved design features and elements, including exterior materials, architectural detail, facade colors, and landscaping, shall be verified by the DPD Planner assigned to this project. Inspection appointments with the Planner shall be made at least three (3) working days in advance of the inspection.

Signature: _____ (signature on file) Date: September 12, 2010
Michael Dorcy, Senior Land Use Planner
Department of Planning and Development
Land Use Services